

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	
	)	
\$25,239.00 IN U.S. CURRENCY,	)	
	)	
Defendant.	)	
	)	<b>COMPLAINT IN FORFEITURE</b>

NOW COMES plaintiff, the United States of America, by Justin E. Herdman, United States Attorney for the Northern District of Ohio, and Henry F. DeBaggis, Assistant U.S. Attorney, and files this Complaint in Forfeiture, respectfully alleging, in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure, as follows:

**JURISDICTION AND INTRODUCTION**

1. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. Section 1345, and over an action for forfeiture under 28 U.S.C. Section 1355(a). This Court also has jurisdiction over this particular action under 21 U.S.C. Section 881(a)(6).

2. This Court has *in rem* jurisdiction over the defendant currency: (i) pursuant to 28 U.S.C. Section 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) pursuant to 28 U.S.C. Section 1355(b)(1)(B), incorporating 28 U.S.C. Section 1395,

because the action accrued in this district. This Court will have control over the defendant currency through service of an arrest warrant *in rem*, which the Federal Bureau of Investigation (FBI) will execute upon the defendant currency. *See*, Supplemental Rules G(3)(b) and G(3)(c).

3. Venue is proper in this district: (i) pursuant to 28 U.S.C. Section 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) pursuant to 28 U.S.C. Section 1395 because the action accrued in this district.

4. On August 20, 2019, the defendant \$25,239.00 in U.S. Currency was seized from Kevin Williams' residence located at XXXXX Arms Avenue, Euclid, Ohio. The seizure was made by Federal Bureau of Investigation (FBI) special agents and Northern Ohio Law Enforcement Task Force (NOLETF) officers, pursuant to a federal search warrant issued in the U. S. District Court, Northern District of Ohio, by U.S. Magistrate Judge David A. Ruiz. The defendant currency is now in the custody of the federal government.

5. Subsequent to the seizure, the FBI commenced an administrative forfeiture proceeding against the defendant currency. A claim to the defendant currency was submitted by Kevin Williams in the administrative forfeiture proceeding, thereby requiring the filing of this judicial forfeiture action.

6. The defendant \$25,239.00 in U.S. Currency is subject to forfeiture to the United States under 21 U.S.C. Section 881(a)(6) in that it constitutes proceeds from illegal drug trafficking activities, and/or was used - or was intended to be used - in exchange for illegal controlled substances, and/or was used - or was intended to be used - to facilitate illegal drug trafficking activities.

## FORFEITURE

7. On August 20, 2019, law enforcement executed an arrest warrant for Kevin Williams at his residence at XXXXX Arms Avenue, Euclid, Ohio, following his indictment for conspiracy to distribute and possess with intent to distribute cocaine, cocaine base ("crack"), heroin, fentanyl and marijuana in United States v. Brandon Fletcher, et al., Case No. 1:19CR464, in the United States District Court for the Northern District of Ohio.

8. During Williams' arrest, law enforcement officers observed a rifle on a couch and a small bag of marijuana on a table in the front room of the residence.

9. During Williams' arrest, law enforcement officers observed white powder on the floor of the residence, consistent with cocaine, and a similar white powder on Williams' shorts and clothing.

10. After Williams' arrest, law enforcement obtained a federal search warrant on August 20, 2019, for Williams' residence at XXXXX Arms Avenue, Euclid, Ohio, then executed the search warrant on the same day.

11. During the search of Williams' residence on August 20, 2019, law enforcement seized the following property:

- a. CZ Scorpion EVO 3 S1 9mm caliber pistol, serial number C614930;
- b. Vortex Optics Crossfire Scope;
- c. Ruger LCP .380 caliber pistol, serial number 371117353;
- d. Scales, white powder rock in a baggie, 3 containers of suspected marijuana; and
- e. \$25,239.00 in U.S. Currency.

### CONCLUSION

12. By reason of the foregoing, the defendant \$25,239.00 in U.S. Currency is subject to forfeiture to the United States under 21 U.S.C. § 881(a)(6) as it constitutes proceeds from illegal drug trafficking activities, and/or was used - or was intended to be used - in exchange for illegal controlled substances, and/or was used - or was intended to be used - to facilitate illegal drug trafficking activities.

WHEREFORE, plaintiff, the United States of America, requests that this Court enter judgment condemning the defendant currency and forfeiting it to the United States, and providing that the defendant currency be delivered into the custody of the United States for disposition according to law, and for such other relief as this Court may deem proper.

Respectfully submitted,

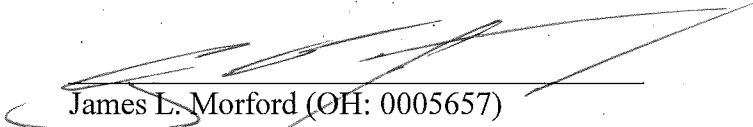
JUSTIN E. HERDMAN  
United States Attorney  
Northern District of Ohio

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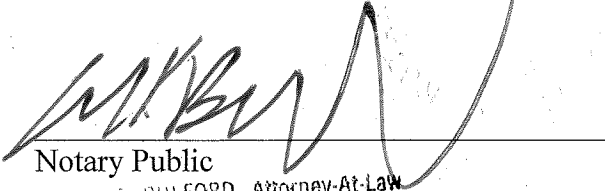
**VERIFICATION**

STATE OF OHIO                    )  
  ) SS.  
COUNTY OF CUYAHOGA        )

I, James L. Morford, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.

  
James L. Morford (OH: 0005657)  
Assistant United States Attorney

Sworn to and subscribed in my presence this 25th day of March, 2020.

  
Notary Public  
J. BULFORD, Attorney-At-Law  
Notary Public — State of Ohio  
My commission has no expiration date  
Sec. 147.03 R.C.